

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

MARVIN M. MOORE,

Plaintiff,

v.

Civil Action No. 3:17cv420

NANCY A. BERRYHILL,  
Acting Commissioner of  
Social Security,

Defendant.

**ORDER**

This matter is before the Court on the REPORT AND RECOMMENDATION of the Magistrate Judge entered on July 24, 2018 (Docket No. 14). Having reviewed the REPORT AND RECOMMENDATION, and there being no timely filed objections thereto, and the time for filing objections having expired, and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that the REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 14) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION.

It is further ORDERED that:

(1) PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Docket No. 7) is denied;

(2) DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 11) is granted;

(3) The decision of the Commissioner is affirmed; and

(4) The Clerk shall close this action.

The Clerk is directed to send a copy of this Order to Plaintiff and all counsel of record.

It is so ORDERED.

\_\_\_\_\_  
/s/ *REP*  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: August 8, 2018